

# TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number

09/695,059

Filing Date

October 25, 2000

First Named Inventor

Christopher Thomas

Art Unit

3624

Examiner Name

James M. Alpert

Attorney Docket Number

12026-2

## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☒ Amendment / Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Reply to Missing Parts/  
Incomplete Application

☐ Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a  
Provisional Application

☐ Power of Attorney, Revocation  
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

☐ After Allowance Communication to TC

☐ Appeal Communication to Board  
of Appeals and Interferences

☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☐ Other Enclosure(s)  
(please identify below):

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm

Bereskin & Parr

Signature

Printed Name

Jay M. Millman

Date

February 9, 2005

Reg.  
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52,520

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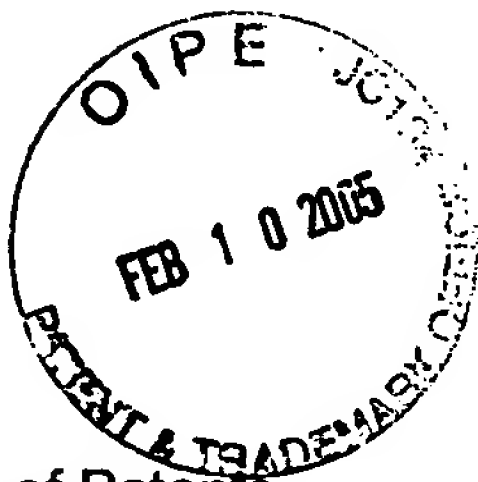
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# Bereskin & Parr

INTELLECTUAL PROPERTY LAW

February 9, 2005



Jay M. Millman B.A.Sc. (Mech. Eng.)  
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Your Reference: 09/695,059  
Our Reference: 12026-2

The Commissioner of Patents  
& Trademarks  
Washington, D.C.  
U.S.A. 20231

Dear Sir:

**Re: United States Patent Application No. 09/695,059**  
**For: METHOD FOR DETECTING FINANCIAL INSTRUMENTS EXHIBITING**  
**ABERRANT BEHAVIOUR**  
**Filed: October 25, 2000**  
**Inventor: THOMAS, Christopher**

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This is in response to the Office communication dated January 24, 2005.

The Examiner has requested that the applicant provide a description of the substance of the telephone interview that took place on January 19, 2005. The applicant provides the description below.

During the interview, the Examiner's rejections under 35 U.S.C. 101 were discussed. In particular, the applicant suggested some claim amendments to recast claim 1 as a computer implemented method. These suggested claim amendments appear in claim 1 as amended in the response filed on January 27, 2005. The Examiner agreed that the suggested claim amendments were of the type that he wanted, but stopped short of agreeing that they were satisfactory without conducting a further review of them.

The applicant and the Examiners also discussed the rejection of the claims as not being directed to a useful, concrete and tangible result. Some suggested claim amendments for claim 1 were discussed, which also appear in the response filed on January 27, 2005.

No firm agreement was reached on claim amendments that would satisfy the Examiner.

During the discussion, Mr. Bashore commented that if a new office action were to be issued on this application, it would not be a final action, due to the presentation of the Examiner's arguments in the Office Action dated October 5, 2004.

Yours truly,

  
Jay M. Millman  
/tw

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